S.N. 09/899,147

REMARKS

This amendment is made in response to the Final Rejection dated March 26, 2003. Therein, independent claim 1 and 25 were rejected using 35 USC § 102(b) over <u>Fischell</u>, U.S. Patent No. 5,697,971. Further, <u>Fischell</u> was used to reject all of the remaining claims under 35 USC § 103(a). In addition, claims 1, 2, 3, 5 and 6 were rejected under 35 USC § 103 using <u>Cox</u>, U.S. 6,273,911 in view of <u>Klein</u>, U.S. 5,922,020. With the amendment made herein, this

rejection is traversed.

None of the art shows the diverging tapered curved section as is now claimed. Rather, at best, <u>Fischell</u> shows an area of thickness at the center of a stent. No accompanying description is given. Moreover, <u>Klein</u> shows "weakened cross-sections" but not the "continued tapered strut" as now claimed. Therefore, one reading this prior art would not be able to use <u>Fischell</u> or <u>Klein</u> to derive the current invention, either under 35 USC § 102 or USC § 103.

As such, Applicants request allowance of claims 1-25. Should the Examiner seek to discuss this claims with Applicant's attorney, she is requested to do so at the below listed number.

Respectfully submitted,

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